

THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 35370 OF 1998

Dated 20th July, 2007

Between:

Mohd. Zi-Alam

...Petitioner

And

The District Collector, Adilabad
and others.

...Respondents.

THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No.35370 OF 1998

ORAL ORDER:

In this writ petition, the petitioner seeks directions by way of mandamus to the respondents to initiate proceedings for acquisition of the land admeasuring Ac.5.00 of the petitioner in Survey No.18, situated at Mamidiguda village and Mandal of Adilabad District.

It is the case of the petitioner that he is the owner and possessor of an extent of Ac.5.00 of land covered by Survey No.18 situated at Mamidiguda village and Mandal of Adilabad District. The said piece of land was taken possession for the purpose of house sites to weaker sections. But, no proceedings have been initiated under the Land Acquisition Act and no compensation is paid.

However, in the counter affidavit, it is stated that notification was issued on 15.3.1984 and consequent to the same, during the pendency of the writ petition award was also passed and compensation was received by the petitioner.

Though it is submitted by the learned counsel for the petitioner that the compensation determined did not represent the market value, but, however, the same is the aspect, which can be agitated by filing an application under Section 18 of the Land Acquisition Act. Inasmuch as the land acquisition proceedings are initiated by notifying the land of the petitioner and award is passed during the pendency of the writ petition, no further direction be issued as sought for in the writ petition.

The writ petition, therefore, is closed leaving it open to the petitioner to pursue other remedies open under law for claiming higher compensation than fixed. No costs.

20-7-2007

R.SUBHASH REDDY, J.

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